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THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

Letter dated 20 February 1994 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to the situation in Haiti, on which I last reported to the General Assembly on 30 November 1993 (A/48/532/Add.2).

My Special Representative, Mr. Dante Caputo, reported to me on 18 February and today that the situation in Haiti has seriously deteriorated in the last few months since obstacles arose to the implementation of the Governors Island Agreement. The people of Haiti are under severe strain, notwithstanding efforts to maintain the flow of humanitarian assistance. While I am not in a position to present a comprehensive and thorough report, it is clear that the human rights situation has also suffered a serious degradation.

A nucleus of the joint United Nations-Organization of American States (OAS) human rights monitoring mission, the International Civilian Mission to Haiti (MICIVIH), has remained in Port-au-Prince ever since the evacuation of the bulk of its personnel in October. Recently a small number of human rights observers returned to Haiti from the Dominican Republic in the hope that they could resume their tasks. Notwithstanding their efforts, this has proved possible only to a limited extent and almost entirely in the capital, Port-au-Prince. Without progress towards a political settlement of the crisis through implementation of the Governors Island Agreement it will be difficult for me to recommend that MICIVIH be maintained indefinitely in Haiti.

There is thus an urgent need to break the current impasse. To this end, my Special Representative has continued to work intensively with the Four Friends of the Secretary-General for Haiti, in full consultation with the Secretary-General of OAS, to promote agreement between the parties on steps that would make it possible to resume implementation of the Governors Island Agreement.

An important step forward occurred on 14 to 16 January 1994, when President Aristide convened a conference at Miami, Florida, in the framework of efforts to implement the Governors Island Agreement. At that conference a consensus emerged on a sequence of steps to be taken to break the current impasse and that consensus received the endorsement of President Aristide.

In recent days further consultations have taken place at Washington between leading members of both Houses of the Haitian Parliament, representing all political tendencies in that Parliament. On 19 January 1994, I received a letter from a representative group of those parliamentarians informing me of the conclusions they had reached. The text of that letter is annexed.

I believe that these are significant developments. As a result of the Miami conference and the Washington consultations it is now possible to say that agreement has been reached between the elected supporters and opponents of President Aristide on a plan that will make it possible to achieve the urgently needed objective of breaking the present impasse and resuming progress in implementing the Governors Island Agreement. I therefore commend the enclosed letter to the attention of the General Assembly.

I should be grateful if you would convey this information to the members of the General Assembly.

(Signed) Boutros BOUTROS-GHALI

Annex

Letter dated 19 February 1994 from a delegation of Haitian Parliamentarians addressed to the Secretary-General

The delegation of Haitian Parliamentarians invited to Washington by the Centre for Democracy presents its compliments to you for the concern shown regarding a solution to the crisis in our country and, with reference to the various meetings with representatives of the international community, is happy to be able to associate your good offices with its patriotic initiatives to find a way out of the impasse.

After 29 months, especially during the last four months, the Haitian people has been in despair because of the political and institutional crises and the embargo. Accordingly, the Haitian Parliament, which represents the will of the people and the co-guardian of national sovereignty, feels obliged to show leadership in finding an equitable solution which will preserve the dignity and ensure the survival of our country.

Since no State can live in isolation, and because the Haitian nation is experiencing difficulties, the delegation has decided to make a proposal designed to show the way out of the impasse. This proposal is based on the Governors Island Agreement, the New York Pact and the resolution of Workshop A of the Miami International Conference, held from 14 to 16 January 1994, which was convened by the President of the Republic and benefited from his assistance and from a high level of attention on the part of the international community. Article 6 of the resolution:

1. Recommends that the President of the Republic initiate the procedure for appointing a new Prime Minister and forming a Government of national concord;

2. Recommends that the President of the Republic obtain the lifting of the embargo once the following events have taken place:

(a) The commencement of the early retirement of General Cédras with the guarantees contained in the amnesty decree granted by the President;

(b) The confirmation of a new Prime Minister;

(c) The installation of the new Government of concord;

(d) The return of a climate of security and respect for human rights.

As responsible Parliamentarians, we assure you that we shall be entirely ready to take all necessary steps with regard to the voting on such essential legislation as that relating to the amnesty, the establishment of a police force and international cooperation in the military, technical and economic areas. We shall also be prepared to ensure the confirmation of the future Prime Minister under article 137 of the Haitian Constitution.

We submit to you for your scrutiny this plan for finding a way out of the impasse, and we remain persuaded that you will not fail to act on our request by granting it top priority and all the moral support of your institution.

We enclose a copy of the Miami Workshop A resolution, which has met with the approval of a number of political personalities of Haitian nationality, including the President of the Senate, Jean-Louis Firmin, Senator Luc Fleurinor and the Secretary-General of KONAKOM, Victor Benoît (see appendix).

This proposal by our delegation of Parliamentarians is intended as an effective and realistic means of dealing with the current impasse with a view to a prompt resolution of the Haitian crisis. Its main goal is to establish favourable conditions which will permit a full return to the constitutional order.

We remain at your disposition for any meeting that may be necessary to inform you of the modalities of implementation, given the various sectors involved in the crisis. Accept, Sir, the assurances of our highest consideration.

(Signed) Frantz Robert HONDE
President of the Chamber
of Deputies

(Signed) J. GHISLAIN
Senator
Secretary to the Senate
of the Republic

(Signed) Jean Eddy Talandier DESJARDINS
Deputy/MKN-Alliance

(Signed) Rindal Pierre CANEL
Deputy/FNCD

(Signed) Duly BRUTUS
Deputy
President of the Group
Socialiste Démocratique

(Signed) Edmond MOROLO
Deputy/FNCD

APPENDIX

International Conference held at Miami from 14 to 16 January 1994

Resolutions of Workshop A

1. The Miami International Conference affirms its support for the physical return to Haiti of the President of the Republic, Mr. Jean-Bertrand Aristide, to discharge his constitutional mandate.

2. The Miami Conference affirms its commitment to the Governors Island Agreement and the New York Pact, which, in the present situation, represent the most appropriate framework of reference for a peaceful outcome to the crisis.

3. The Conference recommends to the parliamentary groups and political forces which signed the New York Pact a uniting of their efforts with a view to the effective implementation of the Governors Island Agreement and the New York Pact.

4. The Conference requests the international community to continue to support the efforts of the President of the Republic and the Haitian democratic forces with a view to the restoration of the constitutional order. Accordingly, it seeks from the international community the implementation of the guarantees given on Governors Island, including the application of paragraph 5 of the Agreement.

5. The Miami International Conference supports the decision by President Jean-Bertrand Aristide to honour the request submitted by General Cédras for early retirement.

6. The Miami Conference recommends that the President of the Republic initiate the procedure for appointing a new Prime Minister and forming a Government of concord. With a view to reaching a prompt solution to the crisis, the Conference also recommends that the President of the Republic obtain from the international community the lifting of the embargo once the following events have taken place:

(a) The commencement of the early retirement of General Cédras with the guarantees contained in the amnesty decree granted by the President.

(b) The confirmation of the new Prime Minister.

(c) The installation of the Government of concord.

(d) The return of a climate of security and respect for human rights.

7. The Conference recommends the convening of a national conference after the return to Haiti of President Jean-Bertrand Aristide to discharge his functions.